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EXAMINER

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JOHN SPENCER CUNNINGHAM, SCOTT RICHARD MAASS
and THOMAS A. ODEGARD

Appeal 2007-4283
Application 09/460,197
Technology Center 2600

Decided: May 14, 2008

Before JOSEPH F. RUGGIERO, ROBERT E. NAPPI, and SCOTT R.
BOALICK, *Administrative Patent Judges*.

NAPPI, *Administrative Patent Judge*.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 6 of the rejection of claims 33 through 36, 38 through 46, and 48 through 52.

We reverse the Examiner's rejections of these claims.

INVENTION

The invention is directed to a display interface device which can drive any one of a plurality of video displays of different types connected to the

display interface. See page 4 of Appellants' Specification. Claims 33 and 38 are representative of the invention and are reproduced below:

33. A computer device for driving multiple displays of different types using formats designed for raster displays, said device comprising:
means for linking generated code from said formats to a standard graphics library;
means for driving a plurality of displays of different types with a single display routine, said plurality of displays comprising stroke displays, raster displays and hybrid displays, wherein said hybrid displays comprise stroke and raster displays, from output of said graphics library; and
means for dynamically switching between said displays in real time.

38. A computer device for driving a hybrid stroke/raster display using formats designed for raster displays, said device comprising:
means for linking generated code from said formats to a standard graphics library; driving said hybrid stroke and raster display with a single display routine; and
means for providing stroke and raster display inputs from output of said graphics library.

REFERENCES

Stoddard	US 3,665,454	May 23, 1972
Cook	US 5,513,365	Apr. 30, 1996

REJECTION AT ISSUE

Claims 33 through 36, 38 through 46, and 48 through 52 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Stoddard in view of Cook. The Examiner's rejection is on pages 3 through 5 of the Answer.

Throughout the opinion, we make reference to the Brief (received December 11, 2006), Reply Brief (received April 4, 2007) and the Answer (mailed February 1, 2007) for the respective details thereof.

ANALYSIS

Appellants contend that the Examiner's rejection under 35 U.S.C. § 103(a) is in error. Appellants argue, on page 8 of the Brief that Stoddard teaches plural display indicators, driven by a single stroke graphics display generator. Stoddard teaches that the displays may have different drawing rates. Appellants argue that Stoddard provides no mention of raster generated graphics and/or using a single display routine to render graphics in either stroke or raster on the same display. Brief 8. On pages 8 and 9 of the Brief, Appellants argue that Stoddard's single display generator is not the same as the claimed "single display routine." Further, on page 1 of the Reply Brief, Appellants assert that the Examiner mistakenly asserts that the graphic or video images disclosed in Stoddard are equivalent to raster displays.

In response the Examiner states, on page 7 of the Answer:

Stoddard et al. teaches a single display generator which drives stroke display, raster display such as graphic or video data, and hybrid display comprising the stroke display and graphic display, which are displayed on the CRT screen (see col. 4, lines 59-61, and col. 5, lines 35-40 of Stoddard et al). It is noted that the raster display is raster graphics and raster scan comprising graphical techniques using arrays of pixel values the pattern of image readout in any CRT, LCD, plasma display screen. Stroke is writing by stylus on the PDA, graphic tablet and touch screen. A stylus that secretes no ink touches a touch screen instead of a finger to avoid getting the natural oil from one's hands on the screen. Furthermore, it may be realized by using hardware (a single display generator) and by using the software (a single display routine) on the computer are logically equivalent. Moreover, those

skilled in the computer art it is obvious that such an implementation can be expressed in terms of either computer program (a single display routine) or a computer circuitry (a single display generator) implementation, the two being functional equivalent of one another.

Answer 7.

Appellants' arguments have persuaded us of error in the Examiner's rejection. Independent claim 33 recites "driving multiple displays of different types using formats designed for raster displays . . . means for driving a plurality of displays of different types with a single display routine, said plurality of displays comprising stroke displays, raster displays and hybrid displays." Independent claim 43 recites a similar limitation. Independent claim 38 recites, "driving a hybrid stroke/raster display using formats designed for raster displays . . . driving said hybrid stroke and raster display with a single routine." Independent claim 48 recites a similar limitation. Thus, the scope of the independent claims are that displays are driven using formats designed for raster displays using a single routine, the displays being driven include a hybrid stroke and raster display. We note that within the scope of the claims the term "display" refers to the physical device being driven (i.e., monitor) and not the information which is presented on the display, and the terms stroke and raster refers to the format the information the display is designed to present. See for example page 3 of Appellants' Specification.

In rejecting the claims, the Examiner relies upon Stoddard's teachings in the paragraph beginning in column 4, lines 44 through 69. We find that Stoddard in this paragraph discusses that video and graphics (or symbol data) can be displayed on a common CRT. Col. 4, ll. 59-61. However, this section discusses the content of the information being displayed and not the

type of display. Stoddard in column 5, lines 5-25 identifies that the display is a stroke display. Stoddard in column 10, lines 46 through 49 identifies that the invention could also be applied to a raster scan. However, there is no discussion that the display could be a hybrid stroke and raster display. Thus, if we were to accept the Examiner's finding that: video is raster and graphics is stroke; the teachings in column 4, lines 59-61 of displaying video and graphics; and the suggestion of using raster output in column 10, lines 46 through 49, support the proposition of providing a hybrid signal (raster and stroke) to a raster display, such a finding would not meet the claim as the combination of the references does not teach the using raster format to drive a hybrid stroke and raster display.

Further, as discussed above, the claims recite that a single routine drives the displays. Even if Stoddard's display generator is equivalent to the claimed display routine, Stoddard does not teach that the video (which the Examiner equates to raster display) and the graphics (which the Examiner equates to stroke display) both come from the display generator. Rather, in column 4, lines 56 through 59, Stoddard identifies that the display generator or the video source are coupled to the indicator, thus teaching that the video and graphics are generated in different devices and not a single routine as claimed.

For the aforementioned reasons, we will not sustain the Examiner's rejection of independent claims 33, 38, 43, and 48, nor the claims dependent thereupon, under 35 U.S.C. § 103(a).

ORDER

The decision of the Examiner is reversed.

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Application 09/460,197

REVERSED

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